



BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of October 31 – November 4, 2022

16
11/8/22

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, October 31, 2022. Present were Commissioners Ozias, Johnson, and Peach and Administrator Sill.

Items of discussion per the agenda published September 1 were:

- Calendar/Correspondence
- Agreement modification 2 with Olympic National Forest for work crew services performance period
- Resolution declaring an emergency authorizing the purchase of replacement boat motors
- Contract with Westside Marine Inc. for purchase of two new Yamaha boat motors
- Agreement with Health Care Services for Jail Inmate Health Care Services
- Briefing and call for hearing to be held Tuesday, November 22, 2022 at 10:30 a.m. regarding a proposed Ordinance amending Clallam County Code Chapter 5.100 Consolidated Fee Schedule – Parks Department Fee Schedule 205-A
- Slip Point conveyance update
- Briefing and public hearing regarding a Resolution adopting the Six-Year 2023-2028 Transportation Improvement Program
- Briefing and request to approve Final Binding Site Plan approval for Island View R.V. Park LDV 2021-00005 – Randy Simmons applicant
- Resolution appointing Kristine Johnson to the Behavioral Health Advisory Board
- Resolution appointing Gerald B. Stephanz, Jr. MD to the Clallam County Board of Health
- Resolution appointing Skye Eastman to the Developmental Disabilities Advisory Committee
- Resolution appointing Paul Cunningham, Christina Smith, John DeBoer and Cheri Tinker to the Homelessness Task Force
- Resolution appointing Timothy Cochnauer to the Marine Resources Committee
- Resolution appointing Bert Caldwell to the North Olympic Library System Board of Trustees
- Agreement with Jefferson and Kitsap Counties for Olympic Consortium - Workforce Development
- Agreement amendment 1 with Peninsula Trails Coalition to extend Hotel/Motel Funding request

Meeting concluded at 10:04 a.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair Ozias called the meeting to order at 10:03 a.m., Tuesday, November 1, 2022. Also present were Commissioner Johnson and Administrator Sill. Commissioner Peach was excused.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: CRJm to adopt the agenda as presented, CMOs, mc

PUBLIC COMMENT

- John Worthington, commented on item 5a
- Randy Simmons, Port Angeles, commented on item 5a

CONSENT AGENDA

- 1a Approval of vouchers for the week of October 24
- 1b Approval of payroll for the period ending October 15
- 1c Approval of minutes for the week of October 24

ACTION TAKEN: CRJm to adopt the consent agenda, CMOs, mc

REPORTS AND PRESENTATIONS

- CRJ commented on trust lands transfer, Port Angeles Chamber of Commerce after hours event
- CMO commented on Legislative Seismic School Meeting, Clallam Transit update

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ADMINISTRATION

2a Resolution declaring an emergency authorizing the purchase of replacement boat motors

ACTION TAKEN: CRJm to approve, CMOs, mc

2b Resolution rescinding Resolution declaring emergency for COVID 19 virus event in Clallam County

ACTION TAKEN: CRJm to approve, CMOs, mc

CONTRACTS AND AGREEMENTS

3a Agreement with Jefferson and Kitsap Counties for Olympic Consortium - Workforce Development

ACTION TAKEN: CRJm to approve, CMOs, mc

3b Contract with Westside Marine Inc. for purchase of two new Yamaha boat motors

ACTION TAKEN: CRJm to approve, CMOs, mc

3c Agreement with Health Care Services for Jail Inmate Health Care Services

ACTION TAKEN: CRJm to approve, CMOs, mc

PUBLIC WORKS

4a Resolution for vacation of a County Right of Way for a portion of Hazel Street

ACTION TAKEN: CRJm to adopt, CMOs, mc

COMMUNITY DEVELOPMENT

5a Approval of Final Binding Site Plan approval for Island View R.V. Park LDV 2021-00005 – Randy Simmons applicant

ACTION TAKEN: CRJm to approve, CMOs, mc

PUBLIC COMMENT

- Michael Rigsby, Port Angeles, commented on item 5a (see attached)
- John Worthington, commented on item 5a
- Ed Telenick, Sequim, commented item 5a, hearing examiner, Department of Community Development, Administrator, Code Enforcement, community issues, County issues
- Randy Simmons, Port Angeles, commented on laws, appreciation of Commissioners, item 5a

Meeting concluded at 10:36 a.m. and continued to 9 a.m., Monday, November 7, 2022.

There are no Zoom chat logs for the week of October 31.

The Board of Commissioners attended a WSAC Virtual update, Energy Futures Summit, Coffee with Colleen, and Federal Issues and Relations Committee during the week of October 31.

PASSED AND ADOPTED this 8th day of November 2022.

ATTEST:



Loni Gores, CMC, Clerk of the Board



BOARD OF CLALLAM COUNTY COMMISSIONERS


Mark Ozias, Chair


Randy Johnson


Bill Peach

KEY TO ABBREVIATIONS:

ARS Administrator Rich Sill
CMO Commissioner Mark Ozias
CRJ Commissioner Randy Johnson
CBP Commissioner Bill Peach

m moved
mc motion carried
s seconded

Public Comment
Michael Rissby
11-1-22

Dear Commissioners,

I find it extremely disheartening that I once again have to address this. First, the implication of this document that you supplied is that Randy is doing everything possible to meet the requirements and we are just finding fault to find fault. We want it done exactly to the hearings examiners conditions so that our privacy is protected as well as our property. May I remind you that we would not even be here today if Ms. Clark and Mr. Simmons had followed those conditions from the get go. A perfect example of this is Mr. Simmons put up a chain link fence knowing full well what those conditions were. Now he claims it was wording May versus Shall but here is the reality. Ms. Clark had several conversations with my wife on numerous occasions regarding this chain link fence. Mr. Simmons tried to side step this requirement and county code in May of 2021 when he tried to trick us into signing off on the chain-link fence. My wife then went to Ms. Clark and that's when we were told by Ms. Clark the conditions of the SOLID wood fence. Then Mr. Simmons pressured Ms. Clark as he does everyone when he doesn't get his way and Ms. Clark caved and overrode the hearings examiner. This is something that Mr. Peach was also well aware of that. I use the term Mr. Peach because after his conduct towards myself and my wife and the out and out lies he has stated he no longer deserves the respect of being referred to as County Commissioner. My wife and I were told that we are too emotional about this issue and we should hold our emotions back but how do you not be emotional? This is our property our home. Our sanctuary and our daughters future legacy. We have now been stripped of our privacy and all you can tell me is wait two years. If it is not better in two years file a complaint. Complaints we have made the last two years have gone on unheard. The only reason your listening now is because Mr. Simmons wants to sell this as soon as possible and get you to sign off on it. Who cares how shitty the work is that is being done.

That being said, the conditions still have not been met. Since we want to play word games. Number 12. in the HE conditions states and I quote..."The landscaping plan shall include placement of fence along the western property line that shall be constructed of "SOLID WOOD" the fence in the front does not meet this requirement as it is five feet and 1 foot of lattice making it NOT a solid wood fence. Now when Mr. Meir asked Randy why he chose this kind of fence, according to Mr. Meir Randy stated it was what we had up prior. This is not true. Our fence was a six foot SOLID wood fence and only three panels. And it was not put up in a fashion where it was falling apart.

Second Mr. Lopiccio stated we were complaining of the quality of the fencing. As part of the Opaque barrier, fences that are coming apart such as in this picture do not meet that requirement.



This fence is not even a few months old and already the boards are falling down in the first storm of many to come. The water draining on my property I am now being told by Mr. Meier and Mr. Lopiccolo is going to fall on Zenovich but when we speak to Zenovich they told Mr. Simmons to fix it stated it was on Mr. Simmons. This has not been fixed. I believe the drainage is part of the conditions. But this enlies the problem. You all keep making the rules up as you go. Even now Mr. Simmons is still not authorized to be up and running and oh, yeah your fining him.

Please tell me what standards are in place in connection with the lighting? According to the Hearing Examiner's document there are standards for noise, traffic, light and glare and other nuisance characteristics shall be implemented but according to Mr. Lopiccolo our addressing the lights that are being shown in my daughters bedroom do not meet these requirements.

Regarding the 10 ft Opaque Barrier

The LAMIRD in section 100 states

2) The purpose of this chapter is to minimize impacts on the rural character of neighboring less intensive rural residential zoning districts as a result of commercial, industrial, mixed use, duplex, and multifamily in-fill and redevelopment within LAMIRDs.

(3) To the extent that this chapter calls for a different standard than that of the underlying zoning district, the more restrictive standard shall apply.

Buffer and screening required under this section should take advantage of natural topography or existing vegetation wherever possible. Where natural topography or existing vegetation is not available or insufficient, an opaque barrier of at least 10 feet high shall be installed no closer than one-half the width of the required setback, as follows:

- (a) A hedge-like screen or a random or informal screen of evergreen or approved deciduous plant material of at least 15 feet wide, capable of providing a substantially opaque barrier year-round and attaining a minimum height of 10 feet within two years of planting.
- (b) A landscaped earth berm with a maximum slope of three to one, rising no less than 10 feet above the existing grade of the lot line separating the zoning districts.
- (c) Any combination of these methods, which may also include a solid wood and/or masonry fence or wall, that achieves a cumulative opaque barrier of at least 10 feet high. When a fence or wall is used, it must be landscaped on the outside so that there will be a substantially opaque vegetative barrier year-around within two years of planting that masks at least 50 percent of the fence or wall.
- (d) Native and/or drought-tolerant landscape materials shall be utilized whenever possible.
- (e) The barrier shall not adversely affect surface water drainage.

So basically if you use these standards in the combination are you allowing to get past the requirements of CCC.33.22. Then this means if he uses just the fence in combination of vegetation to create a 10 foot barrier, then said vegetation has to be one half the distance of the set back away from the property line. Which is where the fence is at. Therefore, the trees are violating this condition. They would need to be moved to where the fence is currently in place and then the fence be pushed back from that. However, There is asphalt right up to the fence and Mr. Simmons does not want to lose his road width because then he loses that requirement.

You cant have it both ways. You cannot throw the code in our face and tell us your using vegetation to create an opaque barrier then violate the conditions to do it. You cannot say conditions are met and then not meet them per the codes. If you want the combination then either the fence is moved to allow for the trees to be the barrier or raise the fence to the 10 foot requirement. You cannot per the County Code (LAMJRD) have the vegetation two feet from the property line.

The county code in this subsection under E above also addresses the drainage. The barrier shall not affect the surface area drainage. So for as highly educated as Mr. loPicolo is he does not understand the code.

You can keep twisting the facts however you want to. Bottom line is, it does not meet the code. Period.

The county commissioners gave a month. We spoke to Rich, he said they would have an engineer come out and inspect. However, Mr. Peach then went back on your word and gave a week, to which we got Mr. Lo Piccolo. Nothing against Mr. Lopiccolo but we were given one day. My wife asked a question of both Mr. Lo Piccolo and Rich. She stated she would not use it against them later and it was off the record. I hesitate to use it now, my wife will be pissed because unlike you, we have integrity but unfortunately, the dirty tactics and lying is forcing me to now play the game you guys play. My wife asked if this was your house your property after seeing all of the issues on our property, would this be acceptable to you? Mr. Meier stated he empathized with us. Mr. Lopiccolo stated no, this would not be acceptable to him. Yet he then writes in his report implying we are being unreasonable and nitpicking. Is it unreasonable to not want 27 people looking down on you while you attempt to enjoy your property. Is it unreasonable to not have slide debris and water coming onto your property where you constantly have to clean it up. Is it unreasonable not to have what is in the pictures below occur on your property property?

Since your last visit and some of rain, Mr. Simmons make shift barrier in some spots is now coming down on our property. Rain, dirt, rocks on our property. I have included pictures.

I assure you, we are not going to stop until this is rectified. You can sign whatever you want and ignore the codes and rules but we will make sure its public knowledge will make sure we fight for our rights. Again, all we want is OUR PRIVACY and OUR PROPERTY NOT DESTROYED! This is our right! Randy can claim he is doing everything to appease us which is crap. Mr. Simmons is doing everything to appease YOU so you will sign it because if Mr. Simmons cared one iota of doing the right thing, we would not be here today. he would have done it per the HE the first time. He didn't accidentally misunderstand going over the property line.

Its sad that it has come to this. Please see the following the pictures.

I think for every bit of dirt that slides down on my property I will start returning to Mr. Simmons property one shovel at a time. Personally, what this county has done to many members of this community who have moved here for a better life is sickening. You violated our rights to get this passed through. After speaking to a well known landuse attorney today, I found this is common practice for this county a trick you use to get projects such as this RV park in. You are not commissioners service your constituents you are politicians chasing dollars.



